

AMENDED IN SENATE MAY 5, 2005
AMENDED IN SENATE MAY 2, 2005
AMENDED IN SENATE APRIL 18, 2005

SENATE BILL

No. 622

Introduced by Senator Speier

February 22, 2005

An act to add Chapter 9.8 (commencing with Section 6270) to Title 7 of Part 3 of the Penal Code, relating to correctional facilities.

LEGISLATIVE COUNSEL'S DIGEST

SB 622, as amended, Speier. Correctional facilities: educational programs.

Existing law prescribes the authority and duties of the Youth and Adult Correctional Agency with regard to state correctional facilities and prisoners or wards.

This bill would require the Youth and Adult Correctional Agency to create an educational program within each of its correctional facilities that would provide ~~a basic education~~ *appropriate educational services* for every inmate or ward, ~~except as consistent with specified provisions~~. The bill would ~~require~~ *allow* each educational program to consist of specified components, and would require the agency to annually report its findings to the Legislature in that regard. The bill would require funding of the program through the annual budget process, and not from moneys appropriated by the state for school districts and community college districts, as specified. The bill would further require the Secretary of the Youth and Adult Correctional Agency to implement the program in conformity with any court order or consent decree entered into on or before March 1, 2005, as specified.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Chapter 9.8 (commencing with Section 6270) is
2 added to Title 7 of Part 3 of the Penal Code, to read:

3
4 CHAPTER 9.8. EDUCATIONAL PROGRAMS
5

6 6270. Within 180 days after the effective date of the act
7 adding this chapter, the Youth and Adult Correctional Agency
8 shall implement a ~~year-round~~ *continuous* educational program at
9 every state or privately operated Department of Corrections
10 facility and Department of the Youth Authority facility.

11 6271. Each educational program shall provide ~~a basic~~
12 ~~education for every inmate or ward, excluding those sentenced to~~
13 ~~death or serving life sentences without possibility of parole~~
14 *appropriate educational services based on individual needs*
15 *consistent with Article 6 (commencing with Section 1120) of*
16 *Chapter 3 of Part 1 of Division 2 of the Welfare and Institutions*
17 *Code, and applicable provisions for compulsory education*
18 *services for every inmate or ward.* The Department of
19 Corrections and the Department of the Youth Authority shall
20 establish and implement an effective intake assessment protocol
21 and progress assessment procedures.

22 6272. The educational program ~~shall~~ *may* include, but not be
23 limited to, the following components: identification and
24 assessment; placement and intervention; orientation; ~~postrelease;~~
25 goal oriented progress reports; outcome measures; parental and
26 family involvement; vocational certification; advisory
27 committees utilizing academicians from universities; certified
28 instructors; health and safety procedures; sensitivity to racial,
29 ethnic, and cultural balances; ~~admissions criteria;~~ accountability
30 and audits; ~~maximum class sizes;~~ evaluation procedures; ~~public~~
31 ~~comment; dispute resolution; access to records;~~ peer counseling;
32 ~~drug and alcohol therapy;~~ anger management skills; ~~prevention~~
33 ~~and relapse; mental, emotional, spiritual;~~ *spiritual* and physical
34 health skills; violence prevention skills; community restoration;
35 victim awareness; ~~victim recovery;~~ employment skills, including

1 mock interviews; parenting skills; drivers education; critical
2 thinking; organizational skills; study habit skills; tutoring; ~~sexual~~
3 ~~abuse recovery~~; mentoring; physical education; nutrition; dress
4 code; housing skills; resume writing; computer literacy;
5 telephone etiquette; graduation ceremonies; visual and
6 performing ~~arts~~; *arts or* foreign language; disciplinary
7 procedures; personal hygiene; culinary; banking; collaboration
8 with parole units; ~~crisis intervention~~; *educational counseling*; and
9 *a an alternative plan for the educational-program programs* to
10 operate during lockdowns.

11 6273. If a particular facility will be unable to meet the
12 180-day deadline specified in Section 6270, within 30 days after
13 the effective date of the act adding this chapter, the Youth and
14 Adult Correctional Agency shall submit to the Governor and the
15 Legislature in writing the reason for which the facility will be
16 unable meet that deadline.

17 6274. The Youth and Adult Correctional Agency shall
18 annually report to the Legislature all findings, outcomes, and
19 statistics collected with regard to the educational program. The
20 Youth and Adult Correctional Agency shall also make this
21 information available to the public.

22 6275. (a) The Youth and Adult Correctional Agency shall
23 receive funding for the educational programs established
24 pursuant to this chapter at a per pupil in attendance rate
25 equivalent to the statewide average adult education revenue limit
26 per unit of average daily attendance determined pursuant to
27 Section 52616.16 of the Education Code.

28 (b) For purposes of this section, one unit of pupil attendance
29 shall be the full-time equivalent of one pupil attending 540 class
30 hours of instruction.

31 (c) Funding shall *not interfere with any other funding sources*,
32 *shall* be provided through the annual budget process, and shall
33 not be considered to be moneys applied by the state for allocation
34 to school districts or community college districts, as used in
35 subdivision (b) of Section 8 of Article XVI of the California
36 Constitution.

37 6276. The Secretary of the Youth and Adult Correctional
38 Agency shall implement this chapter in conformity with any
39 court order or consent decree entered into on or before March 1,

- 1 2005, that concerns the educational program of the former
- 2 Department of the Youth Authority.

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